

THE HON. MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

A.B., by and through her next friend CASSIE
CORDELL TRUEBLOOD, *et al.*,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, *et al.*,

Defendants.

No. 14-cv-01178-MJP

**ORDER EXPANDING COURT
MONITOR AUTHORITY AND
RESPONSIBILITIES**

The parties submitted a stipulated proposal identifying five potential grant recipients of *Trueblood* diversion funds. Dkt. 366. As stated previously, it is the Court's intention to release to the Plaintiffs the funds collected pursuant to the contempt provisions of the permanent injunction entered in this matter, for implementation of the diversion programs, with the Court Monitor taking the role of reviewing the progress of those programs and reporting to the Court.

In order to effectuate the Court Monitor's review and reporting requirements regarding the disbursement of the funds and implementation of the diversion programs, the Court hereby approves the parties' proposal regarding granting diversion awards to the five identified providers and expands the authority and responsibility of the Court Monitor to effectuate this proposal as follows. Effective from the date of this Order, the Court Monitor will:

- 1 • Oversee Defendants' compliance with the requirements of the Court's Orders related
2 to submitting contempt funds for the diversion programs and ensure that the funds
3 administered by Plaintiffs through their contract with Seattle Foundation in this
4 matter (the "Seattle Foundation Fiscal Sponsorship Agreement") are distributed and
5 utilized in an appropriate manner.
- 6 • Serve as the primary point of contact to coordinate with Seattle Foundation regarding
7 the recipients, timing and amount of disbursements.
- 8 • Serve as the contact with the Court to request Orders for periodic disbursement of
9 Diversion Program Funds from the Court Registry to Seattle Foundation.
- 10 • Direct Seattle Foundation, in conjunction with the Seattle Foundation Fiscal
11 Sponsorship Agreement, to disburse the Diversion Program Funds to the Court-
12 approved providers, consistent with the amounts and duration approved by this Court.
- 13 • Advise the Court immediately if, in the Monitor's reasonable judgment, the provider
14 is not in compliance with the reporting obligations or cannot use the funds for the
15 intended purpose. The Monitor will consult with the *Trueblood* parties on findings of
16 provider noncompliance.
- 17 • Work with Seattle Foundation to ensure notifications, contracts and other documents
18 are in compliance with Court orders and the approved diversion plan. Consistent with
19 the Seattle Foundation Fiscal Sponsorship Agreement, the Monitor will consult with
20 *Trueblood* parties to ensure compliance with the Court orders and approved diversion
21 plan.
- 22 • Receive and review quarterly reports from Seattle Foundation regarding fund receipt
23 and disbursement, as well as the status of contract execution. Copies of these reports

1 will be provided by the Seattle Foundation to the *Trueblood* parties consistent with
2 the Seattle Foundation Fiscal Sponsorship Agreement. The Monitor will initiate
3 further consultation with the parties regarding these reports will occur, as needed.

- 4 • Receive and review monthly reports submitted by diversion fund recipients to Seattle
5 Foundation. Copies of these reports will be provided by the Seattle Foundation to the
6 *Trueblood* parties consistent with the Seattle Foundation Fiscal Sponsorship
7 Agreement. The Monitor will initiate further consultation with the parties regarding
8 these reports will occur as needed.
- 9 • Receive and review record-keeping associated with the recipients' monthly reports.
10 Per the Seattle Foundation Fiscal Sponsorship Agreement, copies of this record-
11 keeping will also be provided by the Seattle Foundation to the ACLU Foundation and
12 DRW.
- 13 • Review analysis of the performance data reported by the recipients; and receive and
14 review outline of key findings from Seattle Foundation based on that data. Copies of
15 these findings will be provided by the Court Monitor to the *Trueblood* parties and
16 further consultation with the parties regarding these findings will occur as needed.
- 17 • Work with Seattle Foundation and the *Trueblood* parties to prepare an evaluation of
18 the diversion services funded by the contempt funds.
- 19 • Review Seattle Foundation contracts with experts and/or organizations for technical
20 and implementation assistance in support of the diversion services. The Monitor will
21 consult with the *Trueblood* parties on the review of said contracts, as needed.

- Recommend to the Court that Seattle Foundation be ordered to demand the return of funds from any organization not utilizing those funds properly. The Monitor will consult with the *Trueblood* parties on the recommendation.
- Ensure that the Seattle Foundation provides services as needed and address any concerns regarding same.

The clerk is ordered to provide copies of this order to all counsel.

Dated: February __21__, 2017.



Marsha J. Pechman
United States District Judge